

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No.95 of 2015

Date of decision: February 06, 2015.

PREETI BANSAL

... **Petitioner**

v.

DEEPAK BANSAL

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON**

Present: Shri Namit Gautam, Advocate for the petitioner.

Dr. Bharat Bhushan Parsoon, J. (Oral):

Counsel for the petitioner seeks transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 (in short the Act) filed by the respondent-husband for dissolution of marriage by decree of divorce from Ludhiana to Chandigarh.

It is also urged that the respondent-husband is also facing proceedings under Section 125 Cr.P.C. as also under Section 12 of the Protection of Women from Domestic Violence Act, 2005 at Chandigarh. Besides this, there is yet another petition filed at the instance of the respondent-husband himself under the Guardian and Wards Act, 1956 for the custody of the minor child at Chandigarh. It is urged that thus there is no impediment in transferring the instant petition under Section 9 of the Hindu Marriage Act, 1955 from Ludhiana to Chandigarh, specifically keeping in view the fact that the petitioner is unemployed and the harassment which is likely to be faced by the petitioner at Ludhiana. It is further submitted that the five year old girl child born out of the wedlock of the parties, who has just started her studies and needs the company of her

the most, will feel gravely inconvenienced due to frequent visits of the petitioner from Chandigarh to Ludhiana in connection with the instant case.

No notice is being issued to the respondent in order to obviate delay, more so when no prejudice is likely to be caused to the respondent in view of the nature of order which this Court proposes to pass.

In view of the submissions made by Counsel for the petitioner as also the circumstances explained, the request is allowed.

Sequely, the petition under Section 13 of the Hindu Marriage Act, 1955 pending at Ludhiana is transferred to Chandigarh. Both the concerned District Judges to comply.

The petition stands disposed of.

Copy dasti on usual charges.

February 06, 2015.
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[Dr. Bharat Bhushan Parsoon]
Judge